

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Local  
5 Government Construction Contract Bidders Act.

6 Section 5. Construction contracts; responsible bidder  
7 requirements. To be considered a responsible bidder on a  
8 construction contract with a unit of local government or school  
9 district, a bidder must comply with all of the following  
10 requirements and must present satisfactory evidence of that  
11 compliance to the appropriate unit of local government or  
12 school district:

13 (1) The bidder must comply with all applicable laws  
14 concerning the bidder's entitlement to conduct business in  
15 Illinois.

16 (2) The bidder must comply with all applicable  
17 provisions of the Prevailing Wage Act.

18 (3) The bidder must comply with Subchapter VI ("Equal  
19 Employment Opportunities") of Chapter 21 of Title 42 of the  
20 United States Code (42 U.S.C. 2000e and following) and with  
21 Federal Executive Order No. 11246 as amended by Executive  
22 Order No. 11375.

23 (4) The bidder must have a valid Federal Employer

1 Identification Number or, if an individual, a valid Social  
2 Security Number.

3 (5) The bidder must have a valid certificate of  
4 insurance showing the following coverages: general  
5 liability including product and completed operations  
6 liability, professional liability that applies only to  
7 design professionals, worker's compensation, and  
8 automobile.

9 (6) The bidder and all bidder's subcontractors must  
10 participate in applicable apprenticeship and training  
11 programs approved by and registered with the United States  
12 Department of Labor's Bureau of Apprenticeship and  
13 Training.

14 (7) No later than 90 days before a solicitation for  
15 bids subject to this Act, the bidder and all bidder's  
16 subcontractors must have in place a substance abuse testing  
17 program unless a substance abuse testing program is  
18 specifically addressed under a collective bargaining  
19 agreement.

20 The provisions of this Section do not apply to federally  
21 funded construction projects if that application would  
22 jeopardize the receipt or use of federal funds in support of  
23 such a project.

24 Any contractor or subcontractor who does not comply with  
25 this Section is subject to (i) a 20% penalty and an additional  
26 2% punitive penalty of the total contract bid, (ii) a 2-year

1     disbarment from bidding on contracts with the applicable unit  
2     of local government or school district, or (iii) both (i) and  
3     (ii).